

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DAVARIUS LAVALLE RIGGINS,

Plaintiff,  
v.

DAVID HYLAND, et al.,

Defendants.

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ORDER

Case No. 19-cv-1059-jdp

On February 11, 2020, I assessed plaintiff Davarius Lavalles Riggins a \$2.50 initial partial payment of the \$350.00 fee for filing this case, which was due by March 3, 2020. Dkt. 6. Plaintiff has filed a motion to waive the initial partial payment indicating plaintiff no longer has help from family members to provide plaintiff with money to make the initial partial payment. Dkt. 7. From the motion plaintiff submitted, it appears that plaintiff presently has no means with which to pay the filing fee or to make an initial partial payment. Under these circumstances, the court will grant plaintiff's motion for leave to proceed without prepayment of the filing fee, but will not assess an initial partial filing fee. Even if this court ultimately determines that plaintiff's complaint cannot go forward, plaintiff is advised that the full \$350 filing fee for indigent litigants remains plaintiff's obligation. *See* 28 U.S.C. § 1915(b)(2).

Because plaintiff is an inmate, plaintiff is subject to the Prison Litigation Reform Act, which requires the court to screen the complaint to determine whether any portion is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief from a defendant who is immune from such relief.

ORDER

IT IS ORDERED that,

1. The motion filed by plaintiff Davarius Lavallo Riggins for leave to proceed without prepayment of the filing fee is GRANTED.

2. No further action will be taken in this case until the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will issue.

Entered this 9th day of March, 2020.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge